



Initial Review: \_\_\_\_\_  
Updated On: \_\_\_\_\_  
Complete: \_\_\_\_\_  
Official Use Only

## Coastal Zone Management Act Federal Consistency Form

This document provides the Delaware Coastal Management Program (DCMP) with a Federal Consistency Determination or Certification for activities regulated under the Coastal Zone Management Act of 1972, as amended, and NOAA's Federal Consistency Regulations, 15 C.F.R. Part 930. Federal agencies and other applicants for federal consistency are not required to use this form; it is provided to applicants to facilitate the submission of a Consistency Determination or Consistency Certification. In addition, federal agencies and applicants are only required to provide the information required by NOAA's Federal Consistency Regulations.

<b>Project/Activity Name:</b>	Eastern Shore Natural Gas Irish Hill M&R
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**I. Federal Agency or Non-Federal Applicant Contact Information:**

Contact Name/Title: Justin Reel / Senior Project Delivery Leader, RK&K

Federal Agency Contractor Name (if applicable): \_\_\_\_\_

Federal Agency: Federal Energy Regulatory Commission Blanket Authority  
(either the federal agency proposing an action or the federal agency issuing a federal license/permit or financial assistance to a non-federal applicant)

Mailing Address: 700 East Pratt Street, Suite 500

City: Baltimore State: MD Zip Code: 21202

E-mail: jreel@rkk.com Telephone #: 703-338-4139

**II. Federal Consistency Category:**

- Federal Activity or Development Project (15 C.F.R. Part 930, Subpart C)
- Outer Continental Shelf Activity (15 C.F.R. Part 930, Subpart E)
- Federal Financial Assistance (15 C.F.R. Part 930, Subpart F)
- Federal License or Permit Activity (15 C.F.R. Part 930, Subpart D)
- Federal License or Permit Activity which occurs wholly in another state (interstate consistency activities identified in DCMP's Policy document)

**III. Detailed Project Description** (attach additional sheets if necessary):

On behalf of Eastern Shore Natural Gas (ESNG), RK&K is designing a 4-inch natural gas lateral line and meter/regulator station located in Kent county. The ~1,700-foot long lateral will originate at the intersection of Canterbury Road (SR 15) and S. Dupont Highway (US 13). The lateral will run south along the east side of Canterbury Road to Irish Hill Road where the lateral will run east along the north side of Irish Hill Road for ~530 feet where the lateral will turn south across Irish Hill Road to terminate at a new 5,000 sq foot meter station located at 284 Irish Hill Road. The lateral will be placed within the existing road ROW and the meter/regulator station will be in private easement. See attached plans for additional location information.

**IV. General Analysis of Coastal Effects** (attach additional sheets if necessary):

The Irish Hill M&R gas line and meter station will not have negative Coastal Effects.

**V. Detailed Analysis of Consistency with DCMP Enforceable Policies** (attach additional sheets if necessary):

**Policy 5.1: Wetlands Management**

The project is not located within, and will not impact wetlands

**Policy 5.2: Beach Management**

The project is not located near and will not impact public, private beaches and/or shoreline.

**Policy 5.3: Coastal Waters Management** (includes wells, water supply, and stormwater management. Attach additional sheets if necessary)

The project will not impact coastal waters, including wells and water supply. The project will not require stormwater management and appropriate erosion and sediment control measures will be used during construction.

**Policy 5.4: Subaqueous Land and Coastal Strip Management**

The project is not within, and will not impact subaqueous lands and the coastal strip.

**Policy 5.5: Public Lands Management**

The project is not located within and will not impact public lands.

**Policy 5.6: Natural Lands Management**

The project is not within and will not impact natural areas including the inland bays.

**Policy 5.7: Flood Hazard Areas Management**

The project is not within and will not impact flood hazard areas.

**Policy 5.8: Port of Wilmington**

The project will not impact the Port of Wilmington.

**Policy 5.9: Woodlands and Agricultural Lands Management**

The project will not impact woodlands, does not include silviculture activities, and will not impact agricultural lands or tax ditches.

**Policy 5.10: Historic and Cultural Areas Management**

The project will not impact historic and cultural areas.

**Policy 5.11: Living Resources**

The project will not impact living resources.

**Policy 5.12 Mineral Resources Management**

The project does not include extraction and production of minerals.

**Policy 5.13: State Owned Coastal Recreation and Conservation**

The project is not located within and will not impact state owned coastal recreation and conservation lands.

**Policy 5.14: Public Trust Doctrine**

The project is not located between the high and low water marks.

**Policy 5.15: Energy Facilities**

The project is not a prohibited energy facility.

**Policy 5.16: Public Investment**

The project will not impact public investment.

**Policy 5.17: Recreation and Tourism**

The project will not affect recreation and tourism.

**Policy 5.18: National Defense and Aerospace Facilities**

The project is not a national defense or aerospace facility.

**Policy 5.19: Transportation Facilities**

The project will not impact transportation facilities.

**Policy 5.20: Air Quality Management**

The project will not affect air quality.

**Policy 5.21: Water Supply Management**

The project does not require ground or surface water withdraws, well construction, or underground injection.

**Policy 5.22: Waste Disposal Management**

The project will not include on-site waste disposal, land waste treatment. The project is not a solid waste disposal facility. The project will not result in the disposal of hazardous waste and does not include underground storage tanks.

**Policy 5.23: Development**

The project is not a new development.

**Policy 5.24: Pollution Prevention**

The project will not result in waste generation.

**Policy 5.25: Coastal Management Coordination**

This project is of local interest only.

**VI. JPP and RAS Review** (Check all that apply):

Has the project been reviewed in a monthly Joint Permit Processing and/or Regulatory Advisory Service meeting?

- JPP                       RAS                       None

\*If yes, provide the date of the meeting(s): \_\_\_\_\_

**VII. Statement of Certification/Determination and Signature** (Check one and sign below):

**FEDERAL AGENCY CONSISTENCY DETERMINATION.** Based upon the information, data, and analysis included herein, the federal agency, or its contracted agent, listed in (I) above, finds that this proposed activity is consistent to the maximum extent practicable with the enforceable policies of the Delaware Coastal Management Program.

OR

**FEDERAL AGENCY NEGATIVE DETERMINATION.** Based upon the information, data, and analysis included herein, the federal agency, or its contracted agent, listed in (I) above, finds that this proposed activity will not have any reasonably foreseeable effects on Delaware's coastal uses or resources (Negative Determination) and is therefore consistent with the enforceable policies of the Delaware Coastal Management Program.

OR

**NON-FEDERAL APPLICANT'S CONSISTENCY CERTIFICATION.** Based upon the information, data, and analysis included herein, the non-federal applicant for a federal license or permit, or state or local government agency applying for federal funding, listed in (I) above, finds that this proposed activity complies with the enforceable policies of the Delaware Coastal Management Program and will be conducted in a manner consistent with such program.

Signature:	Justin Reel	<small>Digitally signed by Justin Reel DN: E=jreel@rkk.com, CN=Justin Reel, OU=Internal, OU=UserAccounts, DC=ad, DC=rkk, DC=com Date: 2024.06.22 14:21:05-04'00'</small>
Printed Name:	Justin Reel	Date: 6/22/2024

Pursuant to 15 C.F.R. Part 930, the Delaware Coastal Management Program must provide its concurrence with or objection to this consistency determination or consistency certification in accordance with the deadlines listed below. Concurrence will be presumed if the state's response is not received within the allowable timeframe.

**Federal Consistency Review Deadlines:**

Federal Activity or Development Project (15 C.F.R. Part 930, Subpart C)	60 days with option to extend an additional 15 days or stay review (15 C.F.R. § 930.41)
Federal License or Permit (15 C.F.R. Part 930, Subpart D)	Six months, with a status letter at three months. The six month review period can be stayed by mutual agreement. (15 C.F.R. § 930.63)
Outer Continental Shelf Activity (15 C.F.R. Part 930, Subpart E)	Six months, with a status letter at three months. If three month status letter not issued, then concurrence presumed. The six month review period can be stayed by mutual agreement. (15 C.F.R. § 930.78)
Federal Financial Assistance to State or Local Governments (15 C.F.R. Part 930, Subpart F)	State Clearinghouse schedule

**OFFICIAL USE ONLY:**

Reviewed By:	Fed Con ID:	Date Received:
Public notice dates: _____ to _____	Comments Received: <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES <i>[attach comments]</i>	
Decision type: <small>(objections or conditions attach details)</small>	Decision Date: _____	